

October 02, 2017

EDWARD J. EMMONS, CLERK

U.S. BANKRUPTCY COURT

NORTHERN DISTRICT OF CALIFORNIA



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Signed and Filed: October 2, 2017

Attorney for Debtor and Debtor-in-Pos

JINNIE JINHUEI CHANG CHAO

A handwritten signature in cursive script, appearing to read "Dennis Montali", is written over a horizontal line.

DENNIS MONTALI

U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT

NORTHERN DISTRICT OF CALIFORNIA

In re:

Case No. 15-31519

JINNIE JINHUEI CHANG CHAO,

Chapter 11

Debtor-in-Possession.

**ORDER GRANTING AMENDED MOTION
OF DEBTOR-IN-POSSESSION TO
DETERMINE OWNERSHIP OF EXEMPT
FUNDS, PURSUANT TO CALIFORNIA
CIVIL PROCEDURE §§ 703.140(b)(10)(E) &
703.080**

The Amended Motion of Debtor-in-Possession to Determine Ownership of Exempt Funds, pursuant to California Civil Procedure Code §§ 703.140(b)(10)(E) & 703.080 (the "Motion"), came on for hearing before the Honorable Dennis Montali on September 14, 2017, at 11:30 a.m. Onyinye N. Anyama appeared for the debtor. The Court, having considered all papers filed in support of the Motion and upon due consideration, and for the reasons stated on the record, determines:

IT IS HEREBY ORDERED that the Motion is granted in part only to the extent of determining that the funds held in the debtor's Allianz IRA Annuity Account Nos. XXXX6719 and XXXX6821 are exempt funds of the debtor, and the \$9,026.61 withdrawn from Account No. XXXX6719 and the \$7,518.13 withdrawn from Account No. XXXX6821 in December 2016 are

1 exempt funds of the debtors. The Court defers ruling on that part of the Motion seeking to use post-
2 petition earnings of the debtor to pay for the remaining balance of attorneys' fees of the debtor's
3 criminal defense counsel after application of said exempt funds because there was not sufficient notice
4 to creditors that the debtor's post-petition earnings were at issue in the Motion.

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6 **END OF ORDER**
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